

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,
Plaintiff,
v.
PACIFIC GAS AND ELECTRIC
COMPANY,
Defendant.

Case No. [14-cr-00175-TEH-1](#) (MEJ)

DISCOVERY ORDER

Re: Dkt. Nos. 205, 206, and 207

Pending before the Court are the parties' joint dispute letters regarding whether the government has: (1) properly asserted the deliberative process, whistleblower and attorney-client privileges over certain discovery from the National Transportation Safety Board and the Pipeline and Hazardous Safety Administration; (2) completed its discovery related to its disclosed Federal Rule of Evidence 404(b) "other act" allegations; and (3) completed its discovery obligations under Judge Henderson's orders of June 29 and November 12, 2015 (Dkt. Nos. 103, 195). As to the first issue, after meeting in person on December 14, 2015, the parties agreed to the form of a protective order and the government's production schedule. As to the second issue, during the parties' in person meeting, the government agreed to provide PG&E with its revised list of 404(b) topics by December 18, 2015, and PG&E agreed to assess the discovery once it receives the government's revised list. As to the third, the parties agreed to a production schedule. However, PG&E seeks an order confirming these deadlines. As the parties meet and confer efforts have been fruitful, and PG&E has not shown any reason the government will not comply with their agreement, the Court finds an order premature and unnecessary at this time.

IT IS SO ORDERED.

Dated: December 17, 2015



MARIA-ELENA JAMES
United States Magistrate Judge